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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ELAN MOSHE,

Defendant.

CASE NO. 2:21-CR-00212-TLN

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER

DATE: August 11, 2022
TIME: 9:30 a.m.
COURT: Hon. Troy L. Nunley

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By this stipulation, defendant now moves to continue the status conference until August 25, 2022 at 9:30 a.m., set the case for a change of plea on that date, and to exclude time between August 11, 2022, and August 25, 2022, under Local Code T4.

2. The parties agree and stipulate, and request that the Court find the following:

a) The government has represented that the discovery associated with this case includes multiple reports and has been produced to the defendant.

b) Counsel for defendant desires additional time to research sentencing guidelines issues and potential exposure, conduct independent factual investigation, and otherwise prepare for trial.

1 c) Counsel for defendant has been caught up in multiple state hearings and trials,
2 which has impacted his ability to review evidence and prepare for trial in this case. He is in trial
3 the week of August 8, 2022, including on August 11, 2022.

4 d) Counsel for defendant believes that failure to grant the above-requested
5 continuance would deny him/her the reasonable time necessary for effective preparation, taking
6 into account the exercise of due diligence.

7 e) The government does not object to the continuance.

8 f) Based on the above-stated findings, the ends of justice served by continuing the
9 case as requested outweigh the interest of the public and the defendant in a trial within the
10 original date prescribed by the Speedy Trial Act.

11 g) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
12 et seq., within which trial must commence, the time period of August 11, 2022 to August 25,
13 2022, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code
14 T4] because it results from a continuance granted by the Court at defendant's request on the basis
15 of the Court's finding that the ends of justice served by taking such action outweigh the best
16 interest of the public and the defendant in a speedy trial.

17 3. Nothing in this stipulation and order shall preclude a finding that other provisions of the
18 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
19 must commence.

20 IT IS SO STIPULATED.

21 Dated: August 9, 2022

22 PHILLIP A. TALBERT
United States Attorney

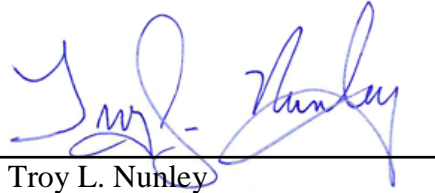
23
24 /s/ CAMERON L. DESMOND
CAMERON L. DESMOND
Assistant United States Attorney

25
26 Dated: August 9, 2022

27 /s/ Phillip Cozens
Phillip Cozens
Counsel for Defendant
28 ELAN MOSHE

FINDINGS AND ORDER

IT IS SO FOUND AND ORDERED this 10th day, August 2022



Troy L. Nunley
United States District Judge